No. ~~1231~~ 82

Office-Supreme Court, U.S.
FILED
MAY 8 1967
JOHN F. DAVIS, CLERK

IN THE

Supreme Court of the United States

OCTOBER TERM, 1966

TEXACO INC., SUNRAY DX OIL COMPANY, HUMBLE OIL & REFINING COMPANY, UNION PRODUCING COMPANY, EDWIN L. COX, SOHIO PETROLEUM COMPANY, GULF OIL CORPORATION, and LAMAR HUNT, *Petitioners*,

v.

FEDERAL POWER COMMISSION, THE UNITED GAS IMPROVEMENT COMPANY, THE BROOKLYN UNION GAS COMPANY, PHILADELPHIA ELECTRIC COMPANY, LONG ISLAND LIGHTING COMPANY, and PUBLIC SERVICE COMMISSION OF THE STATE OF NEW YORK.

On Conditional Cross-Petition for a Writ of Certiorari to the United States Court of Appeals for the Tenth Circuit

---

MEMORANDUM FOR THE BROOKLYN UNION GAS COMPANY ET AL. IN OPPOSITION

EDWIN F. RUSSELL
HARRY G. HILL, JR.
BARBARA M. SUCHOW
177 Montague Street
Brooklyn, New York 11201
Attorneys for The Brooklyn Union Gas Company

EDWARD M. BARRETT
BERTRAM D. MOLL
250 Old Country Road
Mineola, New York 11501

MORTON L. SIMONS
902 Federal Bar Building
Washington, D. C. 20006
Attorneys for Long Island Lighting Company

SAMUEL GRAFF MILLER
DONALD BLANKEN
1000 Chestnut Street
Philadelphia, Pa. 19105
Attorneys for Philadelphia Electric Company

KENT H. BROWN
55 Elk Street
Albany, New York 12225
Attorney for Public Service Commission of the State of New York

May 8, 1967

PRESS OF BYRON S. ADAMS PRINTING, INC., WASHINGTON, D. C.

IN THE

Supreme Court of the United States

OCTOBER TERM, 1966

No. 1231

TEXACO INC., SUNRAY DX OIL COMPANY, HUMBLE OIL & REFINING COMPANY, UNION PRODUCING COMPANY, EDWIN L. COX, SOHIO PETROLEUM COMPANY, GULF OIL CORPORATION, and LAMAR HUNT, *Petitioners*,

v.

FEDERAL POWER COMMISSION, THE UNITED GAS IMPROVEMENT COMPANY, THE BROOKLYN UNION GAS COMPANY, PHILADELPHIA ELECTRIC COMPANY, LONG ISLAND LIGHTING COMPANY, and PUBLIC SERVICE COMMISSION OF THE STATE OF NEW YORK.

On Conditional Cross-Petition for a Writ of Certiorari to the United States Court of Appeals for the Tenth Circuit

---

MEMORANDUM FOR THE BROOKLYN UNION GAS COMPANY ET AL. IN OPPOSITION

Respondents The Brooklyn Union Gas Company, Long Island Lighting Company, Philadelphia Electric Company, and Public Service Commission of the State of New York adopt, as their response to the petition for certiorari, the Memorandum in Opposition filed herein by the Federal Power Commission. For the reasons set forth in said Memorandum, the above-

named respondents urge that the petition be dismissed as untimely filed or, if accepted for filing, be denied as raising no issue warranting review by this Court.

Respectfully submitted,

EDWIN F. RUSSELL
HARRY G. HILL, JR.
BARBARA M. SUCHOW
177 Montague Street
Brooklyn, New York 11201
Attorneys for The Brooklyn Union Gas Company

EDWARD M. BARRETT
BERTRAM D. MOLL
250 Old Country Road
Mineola, New York 11501

MORTON L. SIMONS
902 Federal Bar Building
Washington, D. C. 20006
Attorneys for Long Island Lighting Company

SAMUEL GRAFF MILLER
DONALD BLANKEN
1000 Chestnut Street
Philadelphia, Pa. 19105
Attorneys for Philadelphia Electric Company

KENT H. BROWN
55 Elk Street
Albany, New York 12225
Attorney for Public Service Commission of the State of New York

May 8, 1967